

RECEIVED
CENTRAL FAX CENTER

SEP 26 2005

PATENT AND
TRADEMARK CAUSES

DONALD DIAMOND
ATTORNEY AT LAW
2180 JEFFERSON STREET, 2ND FLOOR
NAPA, CALIFORNIA 94559-1200
E-MAIL: dondiamond@aol.com

TEL (707) 265-8347
FAX (707) 265-8413

Fax Cover Sheet

Fax: 703-872-9306

Date: September 26, 2005

To: Examiner: Fenn C. Mathew

Group AU: 3764

CC:

Re: Application No. 09/819,256

Filed: March 27, 2001

Applicant: Forrest B. Phillips

Number of pages including cover sheet: [4]

Message:

Examiner Fenn C. Mathew:

Enclosed is a revised and corrected Transmittal Form, Cover Letter and Fax Cover Sheet in the Response to Office communication dated 08/29/2005, which changes the transmittal date to September 23, 2005 and, on the Transmittal Form, changes the Art Unit to 3764.

Respectfully,


Donald Diamond
Attorney for Applicant

Date: September 26, 2005

PATENT AND
TRADEMARK CAUSES

DONALD DIAMOND
ATTORNEY AT LAW
2180 JEFFERSON STREET, 2ND FLOOR
NAPA, CALIFORNIA 94559-1200
E-MAIL: dondiamond@aol.com

TEL (707) 265-8347
FAX (707) 265-8413

Fax Cover Sheet

Fax: 703-872-9306

Date: September 23, 2005

To: Examiner: Fenn C. Mathew
Group AU: 3764

CC:

Re: Application No. 09/819,256

Filed: March 27, 2001

Applicant: Forrest B. Phillips


Number of pages including cover sheet: [17]

Message:

Examiner Fenn C. Mathew:

Response to Office communication dated 08/29/2005 re Notice of Non-Compliant Amendment. The response includes a listing of all claims in ascending order with each claim being provided with a status identifier.

Respectfully,


Donald Diamond
Attorney for Applicant

Date: September 23, 2005

CENTRAL FAX CENTER

SEP 26 2005

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/819,256
	Filing Date	March 27, 2001
	First Named Inventor	Forrest B. Phillips
	Art Unit	3764
	Examiner Name	Fenn C. Mathew
	Attorney Docket Number	1878
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Response to Office Communication dated 08/29/2005 which includes a listing of all claims in ascending order with each claim being provided with a status identifier.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Donald Diamond		
Signature	<i>Donald Diamond</i>		
Printed name	Donald Diamond		
Date	September 23, 2005	Reg. No.	18,771

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Donald Diamond</i>		
Typed or printed name	Donald Diamond	Date	September 23, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

SEP 26 2005

PATENT
DOCKET No. 1878

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Forrest B. Phillips

Serial No.: 09/819,256

Filed: March 27, 2001

Art Unit : 3764

Examiner: Fenn C. Mathew

Response to Office communication dated August 29, 2005

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

In response to the Office communication dated August 29, 2005 re Notice of Non-Compliant Amendment (37 CFR 1.121), there is enclosed an amendment to the claims that includes a complete listing of all of the claims in the application in ascending order with each claim being provided with a status identifier. It is believed that the amendment to the claims is now in condition for examination on the merits.

Respectfully,

Donald Diamond
Donald Diamond
Attorney for Applicant

Date: Sept. 23, 2005